

REMARKS

The Office Action has been studied, along with the cited reference. In response, selected claims have been amended to address the claim objections and rejections made by the Examiner. The indication of allowable subject matter is appreciated and, where possible, the subject matter has been clarified as suggested. Reexamination and reconsideration are respectfully requested.

More particularly, the objections to claims 24-31 and 33-35 have been resolved via amendments to claims 24, 33, and by also altering the preamble in each of dependent claims 24-31.

Claims 5, 7, 13, 14, 16-18, 29-31, and 33-35 stand rejected under the second paragraph of 35 U.S.C. §112. The antecedent basis issue has been corrected in claim 7, and claims 5 and 35 have been canceled so as to render those rejections moot.

With regard to claim 17, that claim has likewise been canceled, while claims 29-31 have been amended to eliminate reference to "standards", even though applicants believe that reference to "standards" in an industry is terminology that would be well understood by one of ordinary skill in the art.

The rejection of claims 16 and 17 is respectfully traversed. The step of "developing the vision test protocol" again is a concept well known to one of ordinary skill in the art. For example, as defined at www.dictionary.com, protocol means "the plan for carrying out a scientific study on patient's treatment regimen". Thus, a vision test is stored on the CPU, and running a vision test "protocol" that corresponds to a selected test is clear and definite, i.e., the program or plan is run to carry out the scientific study. By way of a simplified example, an eye chart may be stored as a vision test on the CPU. If a patient has difficulty with a specific line in the test, the protocol may be to vary the contrast of the display, increment backwards two steps in the process, or supply a different character at the same acuity level, etc. (See paragraph [0029] of the present application.) Accordingly, these claims are already deemed to be definite.

The dependency in claims 13 and 14 has also been revised to depend from dependent claim 11. Thus, these claims are now deemed to be clear and definite.

Claim 33 has been rewritten in independent form to include the limitations of claim 32.

All formal and informal matters having been addressed, this application is in condition for allowance. Early notice to that effect is solicited.

Respectfully submitted,

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Date

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